

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

TYRELL DUVOE CELESTINE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. CIV-16-635-M
	)	
THE STATE OF OKLAHOMA, et al.,	)	
	)	
Defendants.	)	


**ORDER**

On August 16, 2016, United States Magistrate Judge Shon T. Erwin issued a Report and Recommendation in this action brought pursuant to 42 U.S.C. § 1983, alleging defendants violated his constitutional rights. The Magistrate Judge recommended that this action be dismissed for failure to state a claim upon which relief may be granted. Plaintiff was advised of his right to file an objection to the Report and Recommendation by September 2, 2016. A review of the file reveals no objection has been filed.

Accordingly, upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation [docket no. 8] issued by the Magistrate Judge on August 16, 2016; and
- (2) DISMISSES plaintiff's Complaint [docket no. 1] without prejudice for failure to state a claim upon which relief may be granted.

**IT IS SO ORDERED this 13th day of September, 2016.**

  
VICKI MILES-LAGRANGE  
UNITED STATES DISTRICT JUDGE